| 1 2 3 4 5 | Nevada Bar N 520 S. Fourth Las Vegas, N Telephone: (7 | a Street, Second Floor fevada 89101 702) 384-5563 stopheroramlaw.com UNITED STATES | S DISTRICT COURT | | | | |
|-----------------------|--|--|--|--|--|--|--|
| 6 | | DISTRICT OF NEVADA) | | | | | |
| 7 8 9 10 | UNITED STA | | CASE NO: 2:21-cr-00231-RFB-DJA STIPULATION TO CONTINUE SENTENCING (Second Request) | | | | |
| 12 | | Defendant. |) | | | | |
| | | |) | | | | |
| 13 | | |)) | | | | |
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| 15 | IT IS HEREBY STIPULATED AND AGREED by JOSHUA BOYD, by and through | | | | | | |
| 16 | his attorney, CHRISTOPHER R. ORAM, ESQ., and the United States of America, by and | | | | | | |
| 17 | through JESSICA OLIVA, ESQ., Assistant United States Attorney, that the sentencing | | | | | | |
| 18 | hearing scheduled for January 7, 2022, be continued for a period of two (2) weeks, to a date | | | | | | |
| 19 | and time convenient to this Honorable Court. | | | | | | |
| 20 | The request for a continuance is based upon the following: | | | | | | |
| 21 | 1. | Defense Counsel has tested no | sitive for COVID-19 and requests this brief | | | | |
| 22 | 1. | Defense Counsel has tested positive for COVID-19 and requests this brief continuance to allow him to recover prior to proceeding with the upcoming | | | | | |
| 23 | | sentencing. | | | | | |
| 24 | 2. | 2. The Government has no objection to the continuance. | | | | | |
| 25 | 3. | 3. Mr. Boyd is out of custody, and he does not object to the continuance. | | | | | |
| 26 | 4. | The additional time requested by | nerein is not sought for purposes of delay. | | | | |
| 27 | | The additional time requested i | icioni io not bought for purposes of uciuy. | | | | |

| 1 | 5. | Additionally, miscarriage of | | this | request | for | continuan | ce could | result | in a |
|----|-------------------------|------------------------------|-------|------|---------------------------------------|--------|--------------------------|-----------------|--------|------|
| 2 | DATED: January 4, 2022 | | | | | | | | | |
| 3 | Respectfully submitted, | | | | | | | | | |
| 4 | /s/ Christophe | r R. Oram | | , | /s/ Jessic | a Oli | iva | | | |
| 5 | Christopher R | . Oram, Esq. | Elean | J | Jessica C | Oliva, | Esq. | A 44 0 mm 0 2 2 | | |
| 6 | Las Vegas, Ne | | FIOOL | 4 | 501 Las | Vega | ted States s Blvd. So | outh, Suite | e 1100 | |
| 7 | Attorney for J | oshua Boyd | | | | | evada 891 he United | | Americ | ca |
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| 1 | CHRISTOPHER R. ORAM, ESQ. Nevada Bar No. 4349 | | | | | | |
|----|--|--|--|--|--|--|--|
| 2 | 520 S. Fourth Street, Second Floor Las Vegas, Nevada 89101 | | | | | | |
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| 5 | UNITED STATES DISTRICT COURT | | | | | | |
| 6 | | DISTRICT OF NEVADA * * * | | | | | |
| 7 | | | | | | | |
| 8 | UNITED STA | ATES OF AMERICA, |) CASE NO: 2:21-cr-00231-RFB-DJA | | | | |
| 9 | | Plaintiff, |) ORDER | | | | |
| 10 | | vs. |) | | | | |
| 11 | JOSHUA BO | YD, |) (Second Request) | | | | |
| 12 | | Defendant. |)) | | | | |
| 13 | | Dorondant. |)) | | | | |
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| 16 | | <u>FINDINGS</u> | S OF FACT | | | | |
| 17 | Rasec | I on the pending Stipulation of co | unsel, and good cause appearing therefore, the | | | | |
| 18 | Court finds: | on the pending Supulation of co | unser, and good cause appearing incretore, the | | | | |
| 19 | 1. | Defense Counsel has tested pos | itive for COVID-19 and requests this brief | | | | |
| 20 | continuance to allow him to recov | | ver prior to proceeding with the upcoming | | | | |
| 21 | sentencing. | | | | | | |
| 22 | 2. | 2. The Government has no objection to the continuance. | | | | | |
| 23 | 3. | 3. Mr. Boyd is out of custody, and he does not object to the continuance. | | | | | |
| 24 | 4. | 4. The additional time requested herein is not sought for purposes of delay. | | | | | |
| 25 | 5. | | | | | | |
| 26 | Additionally, denial of this request for continuance could result in a miscarriage of justice. | | | | | | |
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CONCLUSION OF LAW

The ends of justice served by granting said continuance outweigh the best interests of the public and the defense, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the defendant sufficient time and the opportunity within which to be able to prepare for the sentencing hearing effectively and thoroughly, taking into account the exercise of due diligence.

ORDER

IT IS THEREFORE ORDERED that the sentencing hearing currently scheduled for January 7, 2022, at the hour of 10:00 a.m. be vacated and continued to the <u>8th</u> day of <u>February</u>, 2022, at the hour of <u>9:00 AM by videoconference</u>.

DATED AND DONE this 4th day of January , 2022.

RICHARD F. BOULWARE, II UNITED STATES DISTRICT JUDGE